Remarks

The Examiner has rejected claims 19-25 under 35 USC §102 on the grounds that Fitter (U.S. 5,576,842) anticipates the claims examined with respect to Fitter's "flexible pouch", "water treatment product", "dispensing apparatus", "interference fit", "tubing", "piping", "valve" and "gravitational force" (claim 19); "chemical holding container" and "dispenser head member" (Claim 20); and "venting assembly" (Claim 25). The Examiner further asserts that the structural limitations are not entitled to weight as they do not affect the method in a manipulative sense.

Applicant's claims have been rewritten to recite manipulative steps applicable to the structures associated with the claimed processes and submits that the recited structures should be given weight. Further, the claimed processes now require a viscous gel which must be expelled from its flexible container by a non-gravitational force to be of practical use. In contrast, Fitter's flexible container is emptied by force of gravity only - columns 9 and 10 of the Fitter reference give a detailed discussion of his invention, which is stated to have the advantage of eliminating human intervention. Various complicated means are discussed by Fitter for obtaining draining of his flexible bag by gravity when it contains highly viscous material, such as enlarging the drainage outlet or heating the material. No human-generated force is contemplated for obtaining this flow - in fact his invention teaches against it.

Additionally, the Examiner characterizes an illustrated laundry tub as comparable to Applicant's "holding container". In fact, as more clearly defined in Applicant's rewritten claims, it is functionally comparable to the fluid flow system of the present invention, as the ultimate recipient of the active chemical; it neither dispenses nor contains a chemical for dispensation. In Fitter, the chemical flows via tube from the flexible pouch of

Fitter, whereas in the present claims it flows from the flexible container to a holding dispenser and from there to the fluid flow system. Nothing is refilled in Fitter's assemblage, and any such refilling is not part of his invention. Applicant's invention is directed to a method for dispensing a fluid treatment chemical in the context of a dispensing apparatus particularly a bypass or flow through apparatus (claims 34, 35), and Fitter's method is not. To clarify this, Applicant's "holding container" has been re-characterized as "holding dispenser."

As set forth in dependent claims, Applicant's invention is preferably directed to treatments for inhibiting corrosion and/or scaling in susceptible flow systems. Such treatments are typically commercial or residential applications, wherein the customers are not disposed to wait hours to refill their equipment. As a result, powder solutions have been typically used as treatment media for such applications. However, these powders and other chemical media have numerous disadvantages as discussed in the specification, such as imperfect dissolution leading to clumping in the dispenser system. In contrast, Applicant's gels are readily dispersible/soluble in the fluid stream, have a much lower volume than comparable solutions, and afford a quick refill provided positive (as opposed to natural) force is applied to transfer them to the dispensing apparatus. The positive compressive forces, such as the roll-up tool, which are set forth in the claims are exemplary.

The rejection of claim 24 over Fitter under 35 USC §103 is believed to be moot in view of the present amendments.

It is respectfully submitted that in view of the foregoing amendments and remarks, the claims are now in condition for allowance and reconsideration and withdrawal of the rejections

of the claims is requested. Claims 1-18 have been withdrawn, and are herein cancelled without prejudice.

Respectfully submitted,

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